

The H Endorsement

The federal government is now requiring states to change the way they issue endorsements for Commercial Driver License holders who transport hazardous materials.

Beginning in 2005, the Transportation Security Administration will fingerprint and conduct background checks on all CDL holders that are applying for, renewing or transferring a HAZMAT endorsement.

Drivers who do not wish to transport hazardous materials do not need this endorsement. Drivers who surrender an endorsement will not be subject to a background check. TSA developed this plan to protect against the threat posed by terrorists transporting HAZMAT.

To hold a HAZMAT endorsement, a driver must be a U.S. citizen or a lawful permanent resident. Those receiving a HAZMAT endorsement in New Jersey must also comply with the NJ Motor Vehicle Commission's 6 Point ID Verification program and provide proof of a Social Security Number.

(visit www.njmvc.gov for more information)

The USA Patriot Act requires background checks for all commercial drivers who apply for, renew or transfer a HAZMAT endorsement. TSA will notify New Jersey of the results of the background checks, and New Jersey will either issue or deny a HAZMAT endorsement based on that information.



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The New Jersey Motor Vehicle Commission

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H Endorsement FAQs

What is a hazardous material (HAZMAT)?

Hazardous materials include gasoline, explosive cartridges, radioactive and infectious substances, propane, chlorine, acids, ammonia and certain other poisonous gases that are required to be placarded.

What is the time frame for implementing this new policy?

The Transportation Security Administration will require the collection of fingerprints from first-time HAZMAT endorsement applicants beginning February 1, 2005. Beginning June 1, 2005, TSA will require collection of fingerprints from drivers who wish to renew or transfer their HAZMAT endorsement from another state.

What if I'm denied a HAZMAT endorsement?

Disqualified applicants may appeal on the grounds of mistaken identity or other information, such as a reversed conviction. The applicant may also apply for a waiver in cases where: he or she acknowledges conviction or was found not guilty by reason of insanity of a disqualifying criminal offense; acknowledges being adjudicated mentally incompetent; or, was involuntarily committed to a mental institution.

TSA must respond to an appeal or waiver application within 30 days of receipt. At the end of that period, if no appeal or waiver is granted, TSA will notify the applicant and New Jersey that the driver remains disqualified. If a waiver is granted, TSA will notify the applicant and New Jersey, and the endorsement will be issued.

For how long is my HAZMAT endorsement valid?

In New Jersey, the endorsement is valid for four years.

What are the costs associated with a HAZMAT endorsement?

It will cost \$94 for the entire process, including a \$22 FBI database fee, a \$38 vendor fee and a TSA fee of \$34.

Where can I find more information?

Visit TSA on the Web at www.tsa.gov/public, and the NJ Motor Vehicle Commission at www.njmvc.gov.

What are the reasons I will be denied a HAZMAT endorsement?

A driver is disqualified if he or she was convicted* or found not guilty by reason of insanity within the previous seven years, was released from prison within the previous five years, or is wanted or under indictment for any of the following crimes:

Assault; kidnapping or hostage taking; arson; rape or aggravated sexual abuse; extortion; robbery; bribery; smuggling; immigration violations; RICO (Racketeer Influenced and Corrupt Organization Act) violations; distribution of, intent to distribute, or importation of a controlled substance; dishonesty, fraud, or misrepresentation, including identity fraud (felony-level embezzlement, tax evasion, perjury, and false statements to the Federal government); firearm or other weapon; and, conspiracy or attempt to commit any of these crimes.

*Any plea of guilty or nolo contender, or any findings of guilt.

A driver will be permanently disqualified from holding a HAZMAT endorsement if he or she was ever convicted or found not guilty by reason of insanity of any of the following crimes:

PLEASE NOTE: ANY HAZMAT TRUCK DRIVER WHO HAS A DISQUALIFYING OFFENSE THAT PROHIBITS HOLDING A HAZARDOUS MATERIALS ENDORSEMENT (HME) **MUST IMMEDIATELY SURRENDER** THE HME TO THE NEW JERSEY MOTOR VEHICLE COMMISSION. A DRIVER MAY THEN REAPPLY FOR AN HME, OR SUBMIT A REQUEST FOR A WAIVER.

Terrorism; espionage; sedition; murder; treason; unlawful possession, use, sale, distribution or manufacture of an explosive; a crime involving a severe transportation security incident (involving significant loss of life, environmental damage, transportation system disruption or economic disruption in a particular area); improper transportation of a hazardous material (minor roadside or placard infractions are not automatic disqualifiers); and, conspiracy or attempt to commit any of these offenses.

What is the HAZMAT background check?

In addition to running your fingerprints through various FBI, Interpol, and terrorist databases to determine if you should be disqualified, various mental health and immigration checks are performed.

How do I submit my fingerprints?

No less than 45 days before your current CDL expires, contact TSA's contracted fingerprint vendor, Integrated Biometric Technology LLC (IBT), at 1-877-429-7746. Fingerprinting fees are paid directly to IBT.

NOTE: *Act as early as possible to meet these new guidelines. Although you have been given a 90-day notice, the HAZMAT endorsement should be completed less than 45 days from your current expiration.*